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5 *Attorney for Defendant Vitacost.com, Inc.*

6 **IN THE UNITED STATES DISTRICT COURT**
 7 **DISTRICT OF NEVADA**

8 MOHAMED ALI, an Individual;
 9 Plaintiff,;

10 Plaintiff,

11 vs.

12 VITACOST.COM, INC., a Foreign
 Corporation; DOES 1 through 25, inclusive;
 13 and ROE CORPORATIONS 1 through 25,
 inclusive,

14 Defendants.

15 Defendants.

CASE NO.: 2:23-cv-01078-JAD-BNW

**STIPULATION AND ORDER TO
 REQUEST EARLY NEUTRAL
 EVALUATION AND TO STAY
 DISCOVERY**

17 Plaintiff Mohamed Ali (“Plaintiff”) and Defendant Vitacost.com, Inc. (“Vitacost”) stipulate
 18 and agree as follows:

19 WHEREAS, under Local Rule 16-6, this case includes claims listed in Local Rule 16-6(a)
 20 and should be sent to an early neutral evaluation within 30 days of this submission;

21 WHEREAS, the parties are hopeful that the case will be resolved at the early neutral
 22 evaluation;

23 WHEREAS, for judicial efficiency and to minimize expenditures on behalf of the parties,
 24 the parties request that the court stay discovery pending potential resolution of the early neutral
 25 evaluation;

26 WHEREAS, under Local Rule 26-3, the only discovery served to date is Plaintiff’s First Set
 27 of Interrogatories, Requests for Production of Documents, and Requests for Admissions, which
 28 were served on October 5, 2023;

1 WHEREAS, under Local Rule 26-3, the parties anticipate the following discovery (at a
2 minimum) to be completed if the early neutral evaluation is unsuccessful:

3 Plaintiff:

4 • Rule 30(b)(6) Deposition of Vitacost

Vitacost:

- Deposition of Plaintiff
- Serve on Plaintiff First Set of Interrogatories and Requests for Production of documents
- Respond to Plaintiff's First Set of Interrogatories and Requests for Admissions.

8 WHEREAS, this stipulation is for good cause and not for purposes of delay.

9 **IT IS SO STIPULATED.**

10 Dated: 11/16/23

Dated: 11/16/23

12 /s/ Karl O. Riley

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17 *Attorney for Defendant Vitacost.com, Inc.*

18 *Attorneys for Plaintiff Mohamed Ali*

19 **ORDER**

20 For good cause appearing,

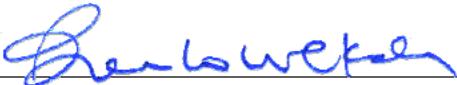
21 IT IS ORDERED that this court be submitted to an early neutral evaluation, which will be
22 ordered under separate cover;

23 IT IS FURTHER ORDERED for judicial and the parties' economy, this case is stayed
24 pending resolution of the scheduled early neutral evaluation;

25 IT IS FURTHER ORDERED that the Clerk of the Court randomly assign a magistrate
26 judge to conduct the Early Neutral Evaluation.

27 **IT IS SO ORDERED.**

28 Dated: 11/17/2023


UNITED STATES MAGISTRATE JUDGE